

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GREGORY MANEMAN et al.,

CASE NO. C24-2050-KKE

Plaintiffs,

**ORDER GRANTING LEAVE TO FILE
*AMICI CURIAE***

WEYERHAUSER COMPANY et al.

Defendants.

This matter comes before the Court on the ERISA Industry Committee (“ERIC”), the American Benefits Council (the “Council”), and Committee on Investment of Employee Benefit Assets Inc.’s (“CIEBA”) (collectively, “Amici”) motion for leave to file an *amici curiae* brief in support of Defendants’ motions to dismiss. Dkt. No. 71. The Court previously granted Amici leave to file an *amici curiae* brief (Dkt. No. 43) and for the same reasons, the Court grants this motion. Dkt. No. 71.

On May 29, 2025, Plaintiffs (Gregory Maneman, Annette Williams, Cassandra Wright, James Hollins, and Pierre Donaby) filed this putative class action against Defendants (Weyerhaeuser Company, Weyerhaeuser Company Annuity Committee, Weyerhaeuser Company Administrative Committee, State Street Global Advisors Trust Company, and Does 1–5) for breach of fiduciary duty and violations of the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C § 1001 *et seq.* Dkt. No. 62. The alleged bad acts arise from Defendants’

1 January 2019 transfer of certain pension obligations to a “highly risky private equity-controlled
 2 insurance company with a complex and opaque structure.” *Id.* ¶ 3. On July 31, 2025, Defendants
 3 filed two motions to dismiss arguing Plaintiffs lack standing and fail to state a claim under Federal
 4 Rule of Civil Procedure 12(b)(6). Dkt. Nos. 66, 67. These motions will be fully briefed on October
 5 24, 2025. Dkt. No. 63.

6 On August 28, 2025 Amici moved to submit an *amici curiae* brief in support of
 7 Defendants’ motion to dismiss. Dkt. No. 71.

8 Amici thus seek to provide critical background against which to assess whether the
 9 factual allegations presented in a complaint meet the rigorous bar for ERISA
 10 imprudence pleadings—background that is especially helpful in the present
 context, where Plaintiffs are pursuing a novel, speculative theory that would limit
 plan sponsors’ ability to manage future pension expenses in the face of changing
 realities or increased economic uncertainty.

11 *Id.* at 3–4. The motion is unopposed.

12 District courts have “broad discretion” regarding the appointment of amici. *Hoptowit v.*
 13 *Ray*, 682 F.2d 1237, 1260 (9th Cir. 1982), *abrogated on other grounds by Sandin v. Conner*, 515
 14 U.S. 472 (1995). Courts often welcome amicus briefs from non-parties “concerning legal issues
 15 that have potential ramifications beyond the parties directly involved.” *United States v. City of*
 16 *Seattle*, No. C12-1282JLR, 2023 WL 3224497, at *1 (W.D. Wash. May 3, 2023). “There are no
 17 strict prerequisites to qualify as amici and the Court will allow an amicus brief where, as here, the
 18 amicus has unique information that can help the court beyond the help that the lawyers for the
 19 parties are able to provide.” *Wagafe v. Biden*, No. 17-cv-00094-LK, 2022 WL 457983, at *1 (W.D.
 20 Wash. Feb. 15, 2022) (cleaned up). Further, “there is no rule that amici must be totally
 21 disinterested.” *Funbus Sys., Inc. v. State of Cal. Pub. Utils. Comm’n*, 801 F.2d 1120, 1125 (9th
 22 Cir. 1986) (citation omitted); *see Hoptowit*, 682 F.2d at 1260 (affirming district court’s
 23 appointment of amicus curiae even though amicus supported only one party’s arguments).

1 Here, Amici's proposed brief is of assistance to the Court in considering the "important,
2 historical context for the role annuity purchases play in the voluntary retirement benefit system."
3 Dkt. No. 71 at 5. Accordingly, the motion is GRANTED. *Id.*

4 The Court DIRECTS the Clerk to accept for filing Amici's proposed *amici curiae* brief
5 (Dkt. No. 71-1). The parties may file optional responses to this brief by October 24, 2025. This
6 order does not entitle Amici to make a formal appearance at any hearing, participate in oral
7 argument at any hearing, or file any reply memoranda.

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9 Dated this 29th day of August, 2025.

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12 Kymberly K. Evanson
United States District Judge